

247.780 Annual review of program -- Referendum required, when -- Termination.

- (1) The board shall review the assessment program annually. If, at the end of any year after the first year of the assessment program, the board has reason to believe that a majority of producers are not in favor of the program, the Commissioner may conduct a referendum among the producers in the area or if the board determines that fifty percent (50%) of the producers in the referendum area are not participating in the program, the Commissioner shall then conduct a referendum among the producers in the area. If, upon the referendum, a majority of the producers in the area reject the program, it shall be terminated as of the end of the month in which the referendum for the area was conducted and held; otherwise, such assessment program shall continue in force and effect.
- (2) If the certified association of producers expresses in writing its desire to the Commissioner to discontinue the assessment program and terminate it, the Commissioner shall within fifteen (15) days following receipt of the request convene the board to review and act on the request. The board, after reviewing the request and conducting whatever proceedings are deemed appropriate and necessary in connection with the request, may terminate the program effective at the end of the month in which the board action is taken; and in this event the Commissioner shall notify by certified mail all operators of tobacco warehouses, tobacco manufacturers, or tobacco dealers of the termination of the program.
- (3) If the certified association requests in writing to the Commissioner to hold a referendum on the question of increasing the assessment within the limits of KRS 247.710 to 247.785, the Commissioner shall within fifteen (15) days of the receipt of the request convene the board to review and act on the request. The board, after reviewing the request and conducting whatever proceedings are deemed appropriate and necessary with the request, shall, if the request is approved, conduct a referendum in accordance with the provisions of KRS 247.710 to 247.785.

Effective: July 15, 1980

History: Amended 1980 Ky. Acts ch. 114, sec. 52, effective July 15, 1980. -- Created 1976 Ky. Acts ch. 265, sec. 15.